

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>MONICA Y. KIM (SBN 180139) myk@lnbyb.com DAVID B. GOLUBCHIK (STATE BAR NO. 185520) dbg@lnbyb.com LEVENE, NEALE, BENDER, YOO & BRILL, L.L.P. 10250 Constellation Boulevard, Suite 1700 Los Angeles, CA 90067 Telephone: (310) 229-1234 Facsimile: (310) 229-1244</p> <p><input type="checkbox"/> Individual <i>appearing without an attorney</i> <input checked="" type="checkbox"/> Attorney for: <i>Todd A. Frealy, Chapter 7 Trustee</i></p>	<p>FOR COURT USE ONLY</p>
<p style="text-align: center;">UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA – RIVERSIDE</p>	
<p>In re:</p> <p>T3M, INC., a Delaware corporation, f/k/a T3 MOTION, INC., a Delaware corporation,</p> <p style="text-align: right;">Debtor(s)</p>	<p>CASE NO.: 6:17-bk-14082-SY CHAPTER: 7</p> <p>NOTICE OF LODGMENT OF ORDER IN BANKRUPTCY CASE RE: <i>(title of motion¹):</i> STIPULATION REGARDING RELIEF FROM STAY FOR USE OF INSURANCE PROCEEDS</p> <p>_____</p>

PLEASE TAKE NOTE that the order titled Order Approving Stipulation Regarding Relief from Stay for Use of Insurance Proceeds

was lodged on (date) 07/24/18 and is attached. This order relates to the motion which is docket number 275.

¹ Please abbreviate if title cannot fit into text field.

EXHIBIT A

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Chapter 7 Trustee

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
RIVERSIDE DIVISION**

In re:

T3M INC., a Delaware corporation,
f/k/a T3 MOTION, INC., a Delaware corporation,

Debtor.

Case No.: 6:17-bk-14082-SY

Chapter 7

**ORDER APPROVING
STIPULATION REGARDING
RELIEF FROM STAY FOR USE OF
INSURANCE PROCEEDS**

This Court, having considered that certain Stipulation Regarding Relief From Stay For Use Of Insurance Proceeds (“Stipulation”) entered into by and among TODD A. FREALY, Chapter 7 Trustee (“Trustee”) for the bankruptcy estate of T3M, Inc. (“Debtor”), on one hand, and MI “MICHAEL” ZHANG, NOEL CHEROWBRIER, KI NAM and YI BING “DAVID” LIU, (collectively with all other directors, officers, or other persons who are insured under the subject insurance policy (“Policy”), the “Insureds”), on the other hand, finding that: (i) this Court has jurisdiction over the matters raised in the Stipulation pursuant to 28 U.S.C. §§ 157 and 1334; (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); (iii) the relief agreed to in the Stipulation is in the best interests of the Debtor’s estate and creditors; (iv) proper and adequate notice of the Stipulation has been given and no other or further notice is

1 necessary; (v) there was ample opportunity to raise an objection to the Stipulation, no party
2 filed any objection to the Stipulation, and further considering the entire record in this case and
3 good cause appearing,

4 **IT IS HEREBY ORDERED AS FOLLOWS:**

5 1. The Stipulation is approved.
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7 2. The automatic stay imposed by 11 U.S.C. § 362(a) of the Bankruptcy Code
8 (and/or any subsequent injunction), to the extent applicable, is modified and lifted to allow the
9 insurer, in its sole and exclusive discretion, to settle, advance and make payment from the
10 proceeds of the Policy on behalf of any and all Insureds under the policy, either jointly or
11 severally, for (i) any and all claims that have been or may be made by the Trustee against any
12 of the Insureds, whether direct or indirect, (ii) any and all other applicable loss covered under
13 the Policy related to the claims and the adversary proceeding, and (iii) any and all defense
14 costs, including payments for fees and expenses to defense counsel, experts, or other third-
15 party professionals and vendors, who may be retained on behalf of the Insureds, that have
16 already incurred or will be incurred in connection with any such claims or adversary
17 proceeding, pursuant to the Policy ("Approved Payments").

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19 3. The Insurer is authorized and allowed, but not directed, to make the approved
20 payments on behalf of Insureds under the terms of this Order approving this Stipulation. The
21 Insurer, in accordance with the policy and subject to all rights of the Insureds and their
22 counsel, shall determine if the approved payments are reasonable and necessary, and no
23 further motion, notice or court order shall be necessary for the Insurer to make the approved
24 payments.
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1 4. The approved payments shall reduce the limits of liability of the Policy and
2 shall not be considered a violation of the automatic stay, nor shall they be considered property
3 of the Debtor's estate.

4 5. The Trustee, Debtor, any subsequent trustee, or any other party are not allowed
5 to recover any payment of defense costs, including attorneys' fees, advanced in accordance
6 with the terms of the Policy and this Order.

7 6. Upon the Trustee's reasonable request in writing, Insurer shall provide notice
8 and an accounting to the Trustee of the dates and amounts of defense costs paid from the
9 Policy proceeds.

10 7. Nothing in the Stipulation or this order shall constitute (i) a waiver,
11 modification, or limitation of the contractual rights and obligations provided for in the Policy
12 or the Insurer's reservation of all of its rights, remedies and defenses under the Policy; or (ii) a
13 finding that such sums are due and owing under the Policy.

14 8. This Order is immediately valid and fully effected upon its entry and the
15 fourteen (14) day stay imposed pursuant to bankruptcy rule 4001(a) is waived.

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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 10250 Constellation Boulevard, Suite 1700, Los Angeles, CA 90067

A true and correct copy of the foregoing document entitled: **NOTICE OF LODGMENT OF ORDER IN BANKRUPTCY CASE** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **July 24, 2018**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- Scott R Albrecht scott.albrecht@sgsattorneys.com, jackie.nguyen@sgsattorneys.com
- Todd A Frealy taf@lnbrb.com
- Todd A. Frealy (TR) taitrustee@lnbyb.com, taf@trustesolutions.net
- David B Golubchik dbg@lnbyb.com, dbg@ecf.inforuptcy.com
- Monica Y Kim myk@lnbrb.com, myk@ecf.inforuptcy.com
- Lewis R Landau Lew@Landaunet.com
- Kenneth T Law ken@bbslaw.com
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- Aram Ordubegian ordubegian.aram@arentfox.com
- Carmela Pagay ctp@lnbyb.com
- Thomas J Polis tom@polis-law.com, paralegal@polis-law.com;r59042@notify.bestcase.com
- William B Skinner will@skinneresq.com
- Mohammad Tehrani Mohammad.V.Tehrani@usdoj.gov
- United States Trustee (RS) ustpregion16.rs.ecf@usdoj.gov
- William J Wall wwall@wall-law.com
- Beth Ann R Young bry@lnbyb.com

2. SERVED BY UNITED STATES MAIL: On **July 24, 2018**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **July 24, 2018**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Served via Overnight Mail

Hon. Scott H. Yun
United States Bankruptcy Court
3420 Twelfth Street, Suite 345
Riverside, CA 92501-3819

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

July 24, 2018

Lisa Masse

/s/ Lisa Masse

Date

Type Name

Signature